

FILED IN OPEN COURT  
U.S.D.C. - Newnan

JAN 26 2018

JAMES N. HATTEN, Clerk

Deputy Clerk

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
NEWNAN DIVISION

JOHN H. MURPHY,

Plaintiff,

v.

MILLARD C. FARMER, JR.,

Defendant.

CIVIL ACTION FILE

NUMBER 3:15-cv-92-TCB

**VERDICT AS TO LIABILITY**

**COUNT 1: Federal RICO Claim**

Do you find by a preponderance of the evidence that (1) an enterprise existed; (2) that the enterprise engaged in, or had some effect on, interstate or foreign commerce; (3) that Mr. Farmer was associated with the enterprise; (4) that Mr. Farmer participated, either directly or indirectly, in the conduct of the affairs of the enterprise; and (5) that Mr. Farmer participated in the enterprise through a pattern of racketeering activity?

Answer Yes or No:

NO

If you answered "No," please proceed to the next count; do not answer the jury interrogatories. If you answered "Yes," please answer the following questions:

**Jury Interrogatories Count 1:**

Did Mr. Murphy prove by a preponderance of the evidence that the pattern of racketeering activity included the following acts of racketeering activity, as alleged in Count 1?

**Racketeering Act Number 1:** Attempted theft by extortion, O.C.G.A. § 16-8-16, Predicate Act 1.

\_\_\_\_\_ Yes                      \_\_\_\_\_ No

**Racketeering Act Number 2:** Attempted bribery, O.C.G.A. § 16-8-2, Predicate Act 2.

\_\_\_\_\_ Yes                      \_\_\_\_\_ No

**Racketeering Act Number 3:** Interstate travel in aid of racketeering, 8 U.S.C. § 1952, Predicate Act 5.

\_\_\_\_\_ Yes                      \_\_\_\_\_ No

**Racketeering Act Number 4:** Kidnapping for extortion, 14 V.I.C. § 1052, Predicate Act 6.

\_\_\_\_\_ Yes                      \_\_\_\_\_ No



**Racketeering Act Number 5:** Mail fraud, 18 U.S.C. § 1343,  
Predicate Act 10.

\_\_\_\_\_ Yes                      \_\_\_\_\_ No

**Racketeering Act Number 6:** Wire fraud, 18 U.S.C. § 1341,  
Predicate Act 11.

\_\_\_\_\_ Yes                      \_\_\_\_\_ No

**COUNT 2: Conspiracy to Violate Federal RICO**

Do you find by a preponderance of the evidence that (1) two or more people agreed to try to accomplish an unlawful plan to engage in a pattern of racketeering activity; and (2) Mr. Farmer agreed to the overall objective of the conspiracy OR agreed with at least one other co-conspirator to commit two predicate acts as part of the conspiracy?

Answer Yes or No:         NO

**COUNT 3: Georgia RICO Claim**

Do you find by a preponderance of the evidence that (1) an enterprise existed; (2) that Mr. Farmer was employed or associated with the enterprise; (3) that Mr. Farmer participated, either directly or indirectly, in the conduct of the affairs of the enterprise; and (4) that Mr. Farmer participated in the enterprise through a pattern of racketeering activity?

Answer Yes or No: Yes

If you answered "No," please proceed to the next count; do not answer the jury interrogatories. If you answered "Yes," please answer the following questions:

**Jury Interrogatories Count 3:**

Did Mr. Murphy prove by a preponderance of the evidence that the pattern of racketeering activity included the following acts of racketeering activity, as alleged in Count 3?

**Racketeering Act Number 1:** Attempted theft by extortion, O.C.G.A. § 16-8-16.

✓ Yes      \_\_\_\_\_ No



**Racketeering Act Number 2:** Attempted bribery, O.C.G.A. § 16-10-2.

☒ Yes ☐ No

**Racketeering Act Number 3:** Intimidation of a Court Officer, O.C.G.A. § 16-10-2.

☒ Yes ☐ No

**Racketeering Act Number 4:** Influencing witnesses, O.C.G.A. § 16-10-93.

☒ Yes ☐ No

**Racketeering Act Number 5:** Interstate travel in aid of racketeering, 18 U.S.C. § 1952.

☒ Yes ☐ No

**Racketeering Act Number 6:** Kidnapping for extortion, 14 V.I.C. § 1052.

☐ Yes ☒ No

**Racketeering Act Number 7:** Interference with custody, O.C.G.A. § 16-5-45.

☒ Yes ☐ No

**Racketeering Act Number 8:** Filing a false report of child abuse via interstate wires, T.C.A. § 37-1-413.

☐ Yes ☒ No

**Racketeering Act Number 9:** Filing a false report of child abuse in furtherance of a scheme to extort, 14 V.I.C. § 2146(c).

☐ Yes ☒ No

**Racketeering Act Number 10:** Mail fraud, 18 U.S.C. § 1341.

☐ Yes ☒ No

**Racketeering Act Number 11:** Wire fraud, 18 U.S.C. § 1343.

☐ Yes ☒ No

**COUNT 4: Conspiracy to Violate Georgia RICO**

Do you find by a preponderance of the evidence that (1) two or more people agreed to try to accomplish an unlawful plan to engage in a



pattern of racketeering activity; and (2) that Mr. Farmer agreed to the overall objective of the conspiracy OR agreed with at least one other co-conspirator to commit two predicate acts as part of the conspiracy?

Answer Yes or No: NO

SO SAY WE ALL this 26 day of January, 2018.

Greg Ivey  
Foreperson's Signature

Greg Ivey  
Foreperson's Printed Name